

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

UNITED STATES OF AMERICA ex rel.	)	
HEALTH DIMENSIONS	)	
REHABILITATION, INC.,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 4:12CV00848 AGF
	)	
REHABCARE GROUP, INC.;	)	
REHAB SYSTEMS OF MISSOURI;	)	
HEALTH SYSTEMS, INC., and	)	
REHABCARE GROUP EAST, INC.;	)	
	)	
Defendants.	)	

**MEMORANDUM AND ORDER**

This matter is before the Court on the motions for attorney's fees filed by Defendants RehabCare Group East, Inc., and RehabCare Group, Inc. (Doc. No. 277), and by Defendants Rehab Systems Of Missouri And Health Systems, Inc., (Doc. No. 280). These requests were filed pursuant to the Court's ruling that Defendants were entitled to fees incurred in relation to their motions to compel certain discovery responses and their subsequent motions for sanctions for failure to comply with the Court's Orders granting the motions to compel.

A district court has wide latitude to impose sanctions under Federal Rule of Civil Rule 37(d), for failure to obey discovery orders. *Boardman v. Nat'l Med. Enters.*, 106 F.3d 840, 843 (8th Cir. 1997). Here the Court finds that the amounts of approximately \$25,000 and \$30,000 sought respectively by the two sets of Defendants are excessive. *See, e.g., Painter's Dist. Council No. 2 v. Paragon Painting of Mo., LLC*, 4:08-CV-1501 ERW, 2011 WL 3891870 (E.D. Mo. Sept. 1, 2011) (approving attorney fees incurred in compelling discovery and filing motion for sanctions

for 6.2 hours of attorney work for a total of \$1,204.20); *Osgood v. Midwest Parking Solutions*, 4:07-CV-1365 SNLJ, 2009 WL 1974650 (E.D. Mo. July 7, 2009) (awarding \$1,111.50 in attorney's fees and costs incurred in bringing sanctions motion). The legal issues in connection with the motions to compel and for sanctions were not particularly complex, and further efforts by Defendants to confer may have alleviated the need to file the motion for sanctions. Upon due consideration, the Court will order sanctions in the amount of \$2,500 to be paid to each set of Defendants.

Accordingly,

**IT IS HEREBY ORDERED** that the motion for fees filed by Defendants RehabCare Group East, Inc., and RehabCare Group, Inc., is **GRANTED in part**, in the amount of \$2,500. (Doc. No. 277.)

**IT IS FURTHER ORDERED** that the motion for fees filed by Defendants Rehab Systems Of Missouri And Health Systems, Inc., is **GRANTED in part**, in the amount of \$2,500. (Doc. No. 280.)

  
AUDREY G. FLEISSIG  
UNITED STATES DISTRICT JUDGE

Dated this 5<sup>th</sup> day of June, 2013.